

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1039

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AN ACT to amend the Indiana Code concerning agriculture.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 15-11-12 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**Chapter 12. Indiana Grown Initiative**

**Sec. 1. As used in this chapter, "commission" refers to the Indiana grown commission established by section 3 of this chapter.**

**Sec. 2. As used in this chapter, "program" refers to the Indiana grown initiative program established by section 8 of this chapter.**

**Sec. 3. The Indiana grown commission is established.**

**Sec. 4. (a) The commission consists of the following members:**

- (1) The director or the director's designee, as an ex officio member, who serves as chairperson of the commission.**
- (2) Two (2) members who represent an organization or association that represents the agriculture industry and growers of Indiana produced agricultural products, with one (1) of the members representing the state's largest general farming organization.**
- (3) Two (2) members who represent an organization or association that represents restaurants that sell Indiana produced agricultural products.**
- (4) Two (2) members who represent an organization or**

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association that represents retailers that sell Indiana produced agricultural products.

(5) Two (2) members who represent farmers' markets that sell Indiana produced agricultural products. The members may not be producers of agricultural products.

(6) Two (2) members who have expertise in marketing, promotions, or agritourism.

(7) The dean of the college of agriculture of Purdue University or the dean's designee, as an ex officio member.

The secretary shall appoint the members under subdivisions (2) through (6).

(b) The term of a member appointed under subsection (a)(2) through (a)(6) is three (3) years. The secretary may stagger the initial terms of the members under this subsection.

Sec. 5. The commission shall meet at least quarterly at the call of the chairperson.

Sec. 6. Seven (7) voting members of the commission constitute a quorum.

Sec. 7. (a) A member of the commission is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). However, a member is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Expenses under this section shall be paid from money in the Indiana grown initiative fund established by section 9(a) of this chapter. However, if there is insufficient money in the fund to pay the expenses, the department shall reimburse the expenses from funds appropriated to the department.

Sec. 8. (a) The Indiana grown initiative program is established to market and promote Indiana produced agricultural products to Indiana residents, restaurants, grocery stores, farmers' markets, wholesalers, processors, and other retail businesses.

(b) The department shall develop, administer, market, and promote the program.

(c) The department may establish fees for participation in the program. Any fees collected must be deposited into the fund.

(d) The department may adopt rules under IC 4-22-2 to administer this chapter.

(e) The department shall provide administrative support for the commission and program.



(f) The commission shall provide comment and policy feedback on the program to the department.

(g) The commission may provide technical assistance and industry knowledge for the program.

**Sec. 9. (a)** The Indiana grown initiative fund is established for the purpose of carrying out the purposes of this chapter. The fund shall be administered by the department.

(b) The fund consists of the following:

(1) Fees collected under this chapter.

(2) Appropriations.

(3) Gifts, contributions, and grants.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

**Sec. 10. (a)** Before November 1 of each year, the commission shall submit a report to the legislative council that:

(1) details the commission's activities under this chapter during the preceding state fiscal year;

(2) recommends any legislation the commission considers useful in coordinating and streamlining the efforts of state government to assist and encourage the establishment and growth of small businesses in Indiana; and

(3) provides any other information determined by the commission.

(b) The annual report submitted under this section must be in an electronic format under IC 5-14-6.



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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